

PLANNING AND ZONING COMMISSION

October 8, 2018

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., October 8, 2018 at Kearney City Hall with Kathy Barger presiding. Other members present were Kyle Creeden, Chuck Davis, Darren Hiley, Kent Porter, Eric Shumate and Doyle Riley. Staff members present were David Pavlich and Shirley Zimmerman.

Kathy Barger opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

The following items were presented or the Planning and Zoning Commission to approve:

- Minutes of the August 13, 2018 meeting

A motion was made by Doyle Riley and seconded by Chuck Davis to approve the Consent Agenda as presented. The motion carried unanimously.

NEW BUSINESS

Due to a conflict of interest Doyle Riley left the meeting.

SIGN – 115 W WASHINGTON – AMERICAN VALUE PROPERTIES II Staff presented an application from Marci Riley, American Value Properties II representing Fulfillment House, proposing to install exterior wall signs at 111/115 West Washington Street. The property is zoned CBD – Central Business District.

Staff said the proposed signage includes an 8.25 square foot projecting sign above the garages, a 6 square foot sign between the garage doors and a 6 square foot sign next to the front door. All three signs would be located on the front of the building that faces Washington Street. Proposed signs total approximately 20.25 square foot in size, which covers less than 10 percent of the façade.

Chuck Davis asked if all signage would be on the building. Staff said that is correct.

Kathy Barger asked if any of the signs would be lit. Marci Riley said no.

A motion was made by Darren Hiley and seconded by Chuck Davis to approve the application from Marci Riley, American Value Properties II representing Fulfillment House, proposing to install exterior wall signs at 111/115 West Washington Street, contingent upon meeting all Staff comments. The motion carried unanimously.

Doyle Riley returned to the meeting.

MEADOWS AT GREENFIELD, 4TH PLAT – FINAL PLAT Staff presented an application from Jerry Syler, GJM Development, LLC for Meadows at Greenfield, 4th Plat final plat, proposing to subdivide 9.58 acres into 26 single family residential lots with associated road right-of-way and easements.

Staff said the site is located south of the Old Trail Run and Foxtail Drive intersection. The layout is consistent with the preliminary plat.

Staff said the southwest property line along the Fishing River Trail doesn't properly line up with some of the trail improvements, landscaping and city mowed areas. As with the 3rd Plat, the City has requested that the 4th plat dedicate a strip of ground for the Fishing River Trail to include those areas.

Kent Porter asked how the road will get to the 4th Plat. Staff said it goes thru the 3rd Plat.

Eric Shumate said it isn't in the flood plain but he wondered if water had gotten over the trail in this area. Staff said there has been no problem with water over the trail.

Kathy Barger asked where the development goes after the 4th Plat. Staff said it goes back into Prairie Creek and there will eventually be a second entrance onto 33 Highway.

Eric Shumate said there is a box on the back side of Lot 136. He wondered if this would require grading or permit for filling in there in that area. Staff said that isn't actually a stream running through that area so there won't need to be a permit.

Darren Hiley asked if we were worried about drainage backing up to the lot. Staff said they didn't believe so but would have our engineer look at the grading in that area.

A motion was made by Chuck Davis and seconded by Darren Hiley to recommend to the Board of Aldermen to approve the application from Jerry Syler, GJM Development, LLC for Meadows at Greenfield, 4th Plat final plat, proposing to subdivide 9.58 acres into 26 single family residential lots with associated road right-of-way and easements, contingent upon meeting all Staff comments. The motion carried unanimously.

PUBLIC HEARINGS

JAMES THOMASON – REZONE TO R-P-R / CONCEPT PLAN/PRELIM PLAT

Staff presented an application from James Thomason proposing to rezone approximately 67.41 acres to R-P-R-Rural Residential Planned District. Accompanying the rezoning is a concept plan/preliminary plat for Thomason Acres, proposing three lots for rural residential development.

The property is located along both sides of Interstate 35 and South of the Fishing River, with approximately 30 acres on the east side and 37 acres on the west side. The property once consisted of approximately 90 contiguous acres, until the Interstate came through

JAMES THOMASON – REZONE TO R-P-R / CONCEPT PLAN/PRELIM PLAT

and bisected the property. A 30 acre lot is proposed on the east side of I-35. On the west side, approximately 10 acre and 25 acre lots are proposed.

The proposed “Planned District” classification would allow proposed lots to exceed the 3:1 ratio and establish a deeper front building line at the south end of Lot 2 to meet the minimum lot width requirement of 200 feet. It is difficult to meet lot requirements because of the way the Interstate and Fishing River run through the property.

Staff said City water and sewer are not currently available to the site. The property is served by Public Water Supply District #6.

Staff said part of the property along the Fishing River is within the 100 year floodplain. A minimum low floor elevation is identified on Lot 1.

Staff said the plat drawings identify a trail easement along the north and west sides of Lot 1, which is consistent with the Comprehensive Plan and Northland Trails Plan.

The floor was opened to the public.

Maxine Lawhorn, 14001 Nation Road, said Lot 1 butts up to her road and home. She wanted to know if she has to allow them to use her road if they started doing construction, etc. on that lot. Staff said her road is private property and she doesn’t have to allow anyone to use her road.

Bill Bryant, 13620 Vines Road said he would like a picture or drawing of the lots. He said he wanted to know how fast these lots would develop into subdivisions. Staff said at this time it is simply being platted as three lots.

Mr. Bryant said he is concerned about the 25 acres. He wanted to know if there was consideration to extend Vines Road. Staff said at this time there is no plan to ever extend Vines Road.

Mr. Bryant asked if a house was built on the 25 acres, would a fire hydrant be installed. Staff said not for one home.

The floor was closed to the public.

Kent Porter asked if rezoning as rural residential means the City doesn’t have to extend City services to the property. He said he was sure when we did the annexation, we set a time frame to provide services. He said he believes Lot 1 will want services. Staff said they believed it was a reasonable time frame.

Kent Porter said he thought the long range plan states we don’t want any large acreage development. He said once the Interchange goes in something will develop in that area.

JAMES THOMASON – REZONE TO R-P-R / CONCEPT PLAN/PRELIM PLAT

Eric Shumate asked what the Comp Plan shows in this area. Staff said the east side shows as commercial and the west side shows as green area due to the flood plain issues.

Darren Hiley asked if there was any reason that would prevent us from tabling this until next month when we can find out about large acreage development and time frame to provide City services.

Mr. Thomason said he didn't see that as a problem but he wouldn't be able to be in attendance. It was decided that his survey agent could represent him.

Lori Bright asked if this will be at Board of Aldermen at the meeting next Monday. Staff said if this is tabled tonight it won't be on Board of Aldermen agenda until it has been voted on here.

Dan Holt, Mayor, said he wanted to point out that we have commercial on the north end of town that doesn't have sewer. He said the storage units, Mr. Dell's and the pipeline don't have sewer service.

A motion was made by Kyle Creedan and seconded by Chuck Davis to table the application from James Thomason proposing to rezone approximately 67.41 acres to R-P-R-Rural Residential Planned District until Staff can do research about the City requirement to provide City services for residential development and research the Comprehensive Plan in regard to large acreage in the City. The motion carried unanimously.

JAMES THOMASON – MINOR SUBDIVISION FINAL PLAT Staff presented an application for final plat from James Thomason proposing to subdivide approximately 67.41 acres into three rural residential lots. The property once consisted of approximately 90 contiguous acres, until the Interstate came through and bisected the property. Approximately 30 acres lies east of I-35 and the remaining 37 acres lies west of I-35. The property west of I-35 is also bisected by the Fishing River.

The property is located along both sides of Interstate 35 and South of the Fishing River, with approximately 30 acres on the east side and 37 acres on the west side. A 30 acre lot is proposed on the east side of I-35. On the west side, approximately 10 acre and 25 acre lots are proposed.

A motion was made by Darren Hiley and seconded by Doyle Riley to table the application for final plat from James Thomason proposing to subdivide approximately 67.41 acres into three rural residential lots. The motion carried unanimously.

ENCLOSURE & INFORMATION ITEMS

SHOPPES BUILDING J FOR 4,800 SQUARE FEET Staff said Building J was part of the plans submitted for Building I. They have reduced the size to 4,800 square feet so this doesn't have to come before the Commission.

LIBRARY RENOVATIONS Staff said we have received a building permit application for renovations to our local library. The exterior renovations include an updated entryway, new front windows, new landscaping and outdoor patio area. No building expansion is proposed.

Staff doesn't consider this a "major façade change" that require new site plan review by the Planning and Zoning Commission and Board of Aldermen.

LA FUENTE TRASH CORRAL Darren Hiley asked what the status was with La Fuente and finishing the trash corral. Staff said they sent them a letter telling them they must comply by the end of the month or citations will be wrote. They must make the gate solid and not chain link fence.

ADJOURNMENT There being no further business on the agenda, a motion was made by Kent Porter and seconded by Darren Hiley to adjourn. The motion carried unanimously.

Approved: _____
Kathy Barger, Chairperson

Attest: _____
Darren Hiley, Secretary